IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

TAKEN UP WRIT PETITION NO : 14372 of 2004

Between:

Smt. G. Swarna Latha, Assistant Commandant 99 Battalion, Rapid Action Force, Hakimpet, Secunderabad.

..... PETITIONER

AND

1 The Special D.G. Southern Sector, Central Reserve Police Force, Road No.12, Banjara Hills, Hyderabad.
2 The Deputy Inspector General of Police, Central Reserve Police

Force, Rapid Action Force, Hyderabad.
3 The Commandant, 99 RAF Hakimpet, Shamirpet Mandal,

Secunderabad.
4 The Commissioner of Police, New Delhi.
5 The Commissioner of Police, Cyberabad, Ranga Reddy District.
6 The Station House Officer, Alwal Police Station, Secunderabad, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order, direction, or a writ, more particularly one in the nature of Writ of Mandamus to call for records and remarks from the Respondents herein in and connected to (1) the two incidents of sexual harassment subjected to the Petitioner

herein by her superior officers, and not taking any action on her lodging complaints about them to the Deputy Inspector General of Police, Hyderabad, (2) the Constitution of a complaints committee by the Director General of Police, Central Reserve Police Force, recording the Petitioner's statement on 28th & 29th April, 2004 and the appearance of the accused officer before the complaints committee, and not taking any action in submitting the report, (3) on the Petitioners complaint, registering a crime as Cr. No. 161 of 2004 Under Section 504, 509 and 354 of IPC and making investigation in Alwal Police Station, Cyberabad, (4) briefing her unit constables not to cooperate with the civil police, (5) inaction on her complaint to the Commissioner of Police, New Delhi over the incidents in Delhi and (6) her allegation of violation of the Judgment of the Apex Court delivered in Visakha V/s. State of Rajasthan 1997 (6) SCC 241 and to pass appropriate Orders directing the concerned authorities to take further action in Cr. No. 161 of 2004 on the file of the Alwal Police Station, Alwal, Ranga Reddy District.

Counsel for the Petitioner: PETITION

Counsel for the Respondent Nos.1 to 4: MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent Nos.5 and 6: The Govt. Pleader for Home.

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Smt.G.Swarna Latha, Assistant Commandant, 99 Battalion, R.A.F, Hakimpet, Secunderabad addressed letter to the Secretary, A.P. High Court Legal Services Authority regarding filing of petition as Public Interest Litigation by her. Her petition was forwarded and was registered as a taken up matter.

Petitioner in the letter addressed intended to have the record got produced in connection with two alleged incidents of sexual harassment meted out to her allegedly by her superior officers and not taking any action on her lodgment of complaints to the Deputy Inspector General of Police, Hyderabad and to the Complaints' Committee constituted by the Director General of Police, Central Reserve Police Force and no action being taken on her complaint and violation of the directions of the Supreme Court in VISAKHA vs STATE OF RAJASTHAN [1997 (6) SCC 241].

On petition being registered as taken up writ petition, we asked the learned senior standing counsel for the Central Government to place on record the status report as regards the petitioner's complaint. Deputy Inspector General (Personnel) of the Directorate General, Central Reserve Police Force, New Delhi in his status report stated that the petitioner had submitted a petition to the Deputy Inspector General, CRPF, Hyderabad on the subject of grievances and improving the working conditions of women in CRPF. As per the directions of the Supreme Court and of the National Commission for Women, a Complaints' Committee comprising of officers was deputed to enquire into the allegations made by the petitioner. Enquiry has since been completed and report submitted to the Ministry of Home Affairs on 11th August, 2004. Same is still under consideration by the Ministry of Home Affairs and

further course of action will be taken on receipt of instructions from the Ministry of Home Affairs. Copy of the report has also been forwarded to the National Commission for Women on 17th August, 2004, which has, of its own, started an independent enquiry into the matter. It is also stated that instructions regarding setting up of Complaints' Committee at Force/Sector level to deal with complaints of women employees have been issued vide Standing Order No.4/2004 on 16th August, 2004.

In view of the status report submitted, no further direction deserves to be issued in this writ petition. It stands disposed of with further observation that in case petitioner would have any grievance against the decision to be taken on the enquiry report, she may have recourse to law independently.

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DEVINDER GUPTA, CJ

27-8-2004

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C.V.RAMULU, J

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To

1 The Special D.G. Southern Sector, Central Reserve Police Force,
Road No.12, Banjara Hills, Hyderabad.
2 The Deputy Inspector General of Police, Central Reserve Police

Force, Rapid Action Force, Hyderabad.
3 The Commandant, 99 RAF Hakimpet, Shamirpet Mandal,

Secunderabad.
4 The Commissioner of Police, New Delhi.
5 The Commissioner of Police, Cyberabad, Ranga Reddy District.
6 The Station House Officer, Alwal Police Station, Secunderabad,
Ranga Reddy District.

7 2 CCs to the Senior Standing Counsel for the Central Government,

High Court Buildings, Hyderabad (OUT).

8 2 CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad (OUT).

9 The Officer Concerned, PIL Section, High Court of A.P., Hyderabad.

10 The Member Secretary, Legal Services Authority, High Court

Buildings, Hyderabad.

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